

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HERBERT E. TOWNSEND, an individual,

Case No. C17-1322 RSM

Plaintiff,

V.

BROOKS SPORTS, INC., a Washington corporation,

ORDER GRANTING DEFENDANT
BROOKS SPORTS, INC.'S MOTION TO
STAY PENDING *INTER PARTES* REVIEW

Defendant.

THIS MATTER COMES before the Court on Defendant Brooks Sports, Inc.'s Motion to Stay Pending *Inter Partes* Review. Dkt. #76. Having reviewed the motion, Plaintiff's opposition thereto, and the Reply in support thereof, along with the remainder of the record, the Court agrees that this matter should be STAYED for the reasons set forth by Defendant.

Accordingly, the Court hereby finds and ORDERS:

1. Defendant's Motion to Stay (Dkt. #76) is GRANTED and this matter is STAYED.
2. The parties shall file a joint status report within 14 days of any decision by the Patent Trial and Appeal Board regarding whether to institute an *inter partes* review proceeding, and within 14 days of any final written decision by the Patent Trial and Appeal Board as to the validity of any claim of U.S. Patent No. 7,490,416.
3. All pending motions (Dkts. #72, #78, #79, #87, #89 and #90) shall be removed from the Court's calendar. If and when the stay is lifted in this matter, the parties shall inform the Court as to whether any of those motions should again be placed on the Court's calendar for a decision.

1 4. All discovery and all pending deadlines in this matter are also STAYED. If and when
2 the stay is lifted, the Court shall reset all deadlines occurring after March 1, 2018.
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5 DATED this 11th day of April 2018.
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11 RICARDO S. MARTINEZ
12 CHIEF UNITED STATES DISTRICT JUDGE
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